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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HYUNDAI MERCHANT MARINE CO., LTD., Plaintiff, -against- MITSUBISHI HEAVY INDUSTRIES, LTD. Defendant.

14 Civ. 7965 (LGS)

**DECLARATION OF JOHN D. KIMBALL IN OPPOSITION
TO DEFENDANT'S MOTION TO DISMISS THE
COMPLAINT ON GROUNDS OF PERSONAL
JURISDICTION**

1. I am a member of the firm of Blank Rome LLP, attorneys for Plaintiff Hyundai Merchant Marine Co., Ltd. ("HMM").
2. I submit this declaration in opposition to the motion of defendant Mitsubishi Heavy Industries, Ltd. ("MHI") to dismiss the complaint on grounds of personal jurisdiction.
3. The statements and definitions made in my Declaration in Opposition to Defendant's Motion to Dismiss on Grounds of Forum Non Conveniens ("Kimball Dec.1") are incorporated herein by reference.
4. Attached hereto as Exhibit "1" is a true and correct copy of various "pages" from MHI's website, mhi-global.com.

5. Attached hereto as Exhibit “2” is a true and correct copy of select pages from MHI’s production of documents produced in response to discovery requests by HMM.

6. Attached hereto as Exhibit “3” is a true and correct copy of further select pages from MHI’s production of documents produced in response to discovery requests by HMM.

7. Attached hereto as Exhibit “4” is a true and correct copy of an excerpt from the translated spreadsheet of MHI Employee travel in 2013 (MHI_000392_T) which identifies the visits to the United States by MHI employees lasting one month or longer, marked at the deposition of Tomoko Miyake as Exhibit 12.

8. Attached hereto as Exhibit “5” is a true and correct copy of a May, 2012 Press Release by MHI announcing the formation of MHI Capital America, Inc.

9. Attached hereto as Exhibit “6” is a true and correct (excerpted) copy of MHI’s translated “Overseas Group Companies Operation Management Guidelines” (marked as MHI_002681-MHI_002700).

10. Attached hereto as Exhibit “7” is a true and correct copy of HMM’s translation of MHI’s spreadsheet of “Employees Who Have Rotated Between Mitsubishi Heavy Industries, Ltd. and MHIA (2013-2014) (marked as MHI_000863).

11. Attached hereto as Exhibit “8” is a true and correct copy of the deposition transcript of Ms. Tomoko Miyake, from April 9 and 10, 2015.¹

12. Attached hereto as Exhibit “9” is a true and correct (excerpted) copy of a Letter of April 28, 2015 from Marshall Turner to John D. Kimball in response to further requests for the production of documents and information.

¹ In accordance with this Court’s Individual Rule B (3), the transcript is produced in its entirety, and thus is not within the 15 page limit set for Exhibits.

13. Attached hereto as Exhibit "10" is a true and correct copy of the Eastern District of Michigan November 6, 2013 Imposition of Judgment on MHI as well as excerpted pages from the transcript of the Guilty Plea and Sentencing Hearing of MHI on November 6, 2013, marked at the deposition of Tomoko Miyake as Exs. 4 and 6, respectively.

14. Attached hereto as Exhibit "11" is a true and correct copy of MHI's spreadsheet of "U.S. Litigation Against Mitsubishi Heavy Industries, Ltd." (MHI_001912).

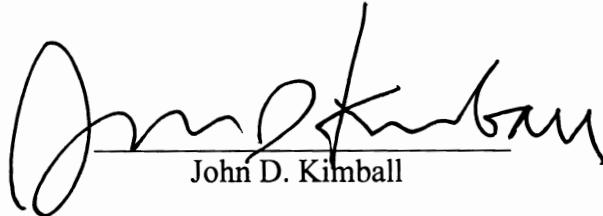
15. Attached hereto as Exhibit "12" is a true and correct copy of the PACER printout of litigation commenced against MHI, marked at the deposition of Tomoko Miyake as Ex. 7.

16. Attached hereto as Exhibit "13" is a true and correct copy of pages from the New York Department of State Division of Corporations website identifying the corporate status of various MHI entities.

17. Attached hereto as Exhibits "14" is a true and correct (excerpted) copy of MHI's Responses to HMM's First Requests for the Production of Documents.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 20, 2015.



John D. Kimball